



City of Downey

FUTURE UNLIMITED

CITY COUNCIL

RICK TREJO
MAYOR
DAVID R. GAFIN
MAYOR PRO TEM
KIRK O. CARTOZIAN
COUNCIL MEMBER
ANNE M. BAYER
COUNCIL MEMBER
MARIO A. GUERRA
COUNCIL MEMBER

CITY MANAGER

GERALD M. CATON

CITY CLERK

KATHLEEN L. MIDSTOKKE

June 29, 2007

Board of Supervisors
Sachi A. Hamai, Executive Officer
Kenneth Hahn Hall of Administration
500 West Temple Street, Room 383
Los Angeles, CA 90012

**Re: Resolutions – Request for Consolidated Election
November 6, 2007**

Dear Ms. Hamai:

Enclosed are two certified copies of the following Resolutions adopted by the Downey City Council on June 26, 2007 calling a Special Municipal Election for the purpose of a Charter Amendment put on the ballot by the City Council:

Resolution No. 07-6996: Calling and Giving Notice of the Holding of a Special Municipal Election on November 6, 2007

Resolution No. 07-6997: Requesting the Board of Supervisors to Consolidate with the School and District Elections on November 6, 2007

Please schedule this Consolidation request on the **next available Board of Supervisor's Agenda**. Section 4 of Resolution No. No. 07-6997 does state that the City of Downey agrees to reimburse the County for any costs.

Certified copies of these Resolutions are also being mailed to the Registrar-Recorder in Norwalk.

We look forward to a favorable consideration of this matter. Thank you for your courtesy and service. If you have any questions, please feel free to call me at (562) 904-7280.

Very truly yours,

Kathleen L. Midstokke, CMC
City Clerk

encls.
/klm

RESOLUTION NO. 07-6996

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DOWNEY, CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2007, FOR THE SUBMISSION TO THE VOTERS PROPOSED DOWNEY CITY CHARTER AMENDMENT NO. 13 RELATING TO TERM LIMITS.

WHEREAS, the City Council of the City of Downey desires to submit to the voters of the City at a Special Municipal Election, proposed Downey City Charter Amendment No. 13 relating to term limits; and

WHEREAS, pursuant to City Council policy, legal notice was published on April 13, 2007, which was more than ten (10) days prior to the City Council Meeting at which the proposed Charter Amendment was discussed on April 24, 2007; and

WHEREAS, the City Council is authorized and directed by the Downey Charter and statute to submit the proposed Downey City Charter Amendment to the voters:

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DOWNEY DOES RESOLVE AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the Downey City Charter and the laws of the State of California, there is called and ordered to be held in the City of Downey on Tuesday, November 6, 2007, a Special Municipal Election for the purpose of submitting to the voters the following question:

Charter Amendment No. 13: Shall a Charter amendment, proposed by the Downey City Council, which amends Charter Section 500.1 Limitation of Terms from a two (2) term limit to a three (3) consecutive term limit and provides for additional terms after a two (2) year waiting period, be adopted?	Yes ----- No
---	--------------------

SECTION 2. That the proposed complete text of the Charter Amendment submitted to the voters is as follows:

Charter Amendment No. 13: Section 500.1 of the Downey City Charter is hereby amended by deleting the existing wording and replacing it with the following: "Section 500.1 LIMITATION OF TERM. Any person who shall have served three (3) consecutive terms as a member of the Council shall be ineligible to serve again in the office until an intervening period of two (2) years has elapsed. For the purposes hereof, any person who serves as a Council Member for two (2) years or more of an unexpired term, or two (2) years or more of an elected term, shall be considered to have served a term. It is the intent of this Charter Amendment that this Amendment shall be retroactive."

SECTION 3. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 4. That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 5. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in Section 14401 of the California Elections Code.

SECTION 6. That in all particulars not recited in this Resolution, the election shall be conducted as provided by law for holding municipal elections.

SECTION 7. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 8. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this 26th day of June, 2007.

RICK TREJO
RICK TREJO, Mayor

ATTEST:

KATHLEEN L. MIDSTOKKE
KATHLEEN L. MIDSTOKKE, City Clerk

I HEREBY CERTIFY that the foregoing Resolution was adopted by the City Council of the City of Downey at a regular meeting held on the 26th day of June, 2007, by the following vote, to wit:

AYES: 3 Council Members: Cartozian, Guerra, Mayor Trejo
NOES: 2 Council Members: Bayer, Gafin
ABSENT: 0 Council Member: None
ABSTAIN: 0 Council Member: None

KATHLEEN L. MIDSTOKKE
KATHLEEN L. MIDSTOKKE, City Clerk

The foregoing instrument is a full, true and correct copy
of the original on file in this office

ATTEST:

June 29, 2007
Kathleen L. Midstokke
City Clerk of the City of Downey

RESOLUTION NO. 07-6996

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DOWNEY, CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2007, FOR THE SUBMISSION TO THE VOTERS PROPOSED DOWNEY CITY CHARTER AMENDMENT NO. 13 RELATING TO TERM LIMITS.

WHEREAS, the City Council of the City of Downey desires to submit to the voters of the City at a Special Municipal Election, proposed Downey City Charter Amendment No. 13 relating to term limits; and

WHEREAS, pursuant to City Council policy, legal notice was published on April 13, 2007, which was more than ten (10) days prior to the City Council Meeting at which the proposed Charter Amendment was discussed on April 24, 2007; and

WHEREAS, the City Council is authorized and directed by the Downey Charter and statute to submit the proposed Downey City Charter Amendment to the voters:

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DOWNEY DOES RESOLVE AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the Downey City Charter and the laws of the State of California, there is called and ordered to be held in the City of Downey on Tuesday, November 6, 2007, a Special Municipal Election for the purpose of submitting to the voters the following question:

Charter Amendment No. 13: Shall a Charter amendment, proposed by the Downey City Council, which amends Charter Section 500.1 Limitation of Terms from a two (2) term limit to a three (3) consecutive term limit and provides for additional terms after a two (2) year waiting period, be adopted?	Yes ----- No
---	--------------------

SECTION 2. That the proposed complete text of the Charter Amendment submitted to the voters is as follows:

Charter Amendment No. 13: Section 500.1 of the Downey City Charter is hereby amended by deleting the existing wording and replacing it with the following: "Section 500.1 LIMITATION OF TERM. Any person who shall have served three (3) consecutive terms as a member of the Council shall be ineligible to serve again in the office until an intervening period of two (2) years has elapsed. For the purposes hereof, any person who serves as a Council Member for two (2) years or more of an unexpired term, or two (2) years or more of an elected term, shall be considered to have served a term. It is the intent of this Charter Amendment that this Amendment shall be retroactive."

SECTION 3. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 4. That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 5. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in Section 14401 of the California Elections Code.

SECTION 6. That in all particulars not recited in this Resolution, the election shall be conducted as provided by law for holding municipal elections.

SECTION 7. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 8. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this 26th day of June, 2007.

RICK TREJO
RICK TREJO, Mayor

ATTEST:

KATHLEEN L. MIDSTOKKE
KATHLEEN L. MIDSTOKKE, City Clerk

I HEREBY CERTIFY that the foregoing Resolution was adopted by the City Council of the City of Downey at a regular meeting held on the 26th day of June, 2007, by the following vote, to wit:

AYES:	3 Council Members:	Cartozian, Guerra, Mayor Trejo
NOES:	2 Council Members:	Bayer, Gafin
ABSENT:	0 Council Member:	None
ABSTAIN:	0 Council Member:	None

KATHLEEN L. MIDSTOKKE
KATHLEEN L. MIDSTOKKE, City Clerk

The foregoing instrument is a full, true and correct copy
of the original on file in this office.

ATTEST: June 27, 2007
Kathleen L. Midstokke
City Clerk of the City of Downey

RESOLUTION NO. 07-6997

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DOWNEY, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2007, WITH THE SCHOOL AND DISTRICT ELECTIONS TO BE HELD ON THAT DATE PURSUANT TO SECTION 10403 OF THE CALIFORNIA ELECTIONS CODE.

WHEREAS, the City Council of the City of Downey called a Special Municipal Election to be held on November 6, 2007, for the purpose of submitting to the voters a question relating to Charter Amendment No. 13 – Term Limits; and

WHEREAS, it is desirable that the Special Municipal Election be consolidated with the School and District Elections to be held on November 6, 2007, and that within the City of Downey the precincts, polling places and election officers of the two elections be the same, and that the County Election Department of the County of Los Angeles canvass the returns of the City of Downey Special Municipal Election and that said School and District Elections and the City of Downey Special Municipal Election be held in all respects as if there were only one election, and only one form of ballot shall be used.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DOWNEY, CALIFORNIA, DOES RESOLVE AS FOLLOWS:

SECTION 1. That pursuant to the requirements of Section 10403 of the California Elections Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of the City of Downey Special Municipal Election with the School and District Elections on Tuesday, the 6th day of November, 2007, for the purpose of submitting the following question:

Charter Amendment No. 13: Shall a Charter Amendment, proposed by the Downey City Council, which amends Charter Section 500.1 Limitation of Terms from a two (2) term limit to a three (3) consecutive term limit and provides for additional terms after a two (2) year waiting period, be adopted?	Yes ----- No
---	--------------------

SECTION 2. That the proposed complete text of the Charter Amendment submitted to the voters is as follows:

Charter Amendment No. 13: Section 500.1 of the Downey City Charter is hereby amended by deleting the existing wording and replacing it with the following: "Section 500.1 LIMITATION OF TERM. Any person who shall have served three (3) consecutive terms as a member of the Council shall be ineligible to serve again in the office until an intervening period of two (2) years has elapsed. For the purposes hereof, any person who serves as a Council Member for two (2) years or more of an unexpired term, or two (2) years or more of an elected term, shall be considered to have served a term. It is the intent of this Charter Amendment that this Amendment shall be retroactive."

SECTION 3. That the County Election Department is authorized to canvass the returns of the Special Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

SECTION 4. That the Board of Supervisors is requested to issue instructions to the County Election Department to take any and all steps necessary for the holding of the Consolidated Election.

SECTION 5. That the City of Downey recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

SECTION 6. That the City Clerk of the City of Downey is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the County Election Department of the County of Los Angeles.

SECTION 7. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this 26th day of June, 2007.

RICK TREJO
RICK TREJO, Mayor

ATTEST:

KATHLEEN L. MIDSTOKKE
KATHLEEN L. MIDSTOKKE, City Clerk

I HEREBY CERTIFY that the foregoing Resolution was adopted by the City Council of the City of Downey at a regular meeting held on the 26th day of June, 2007, by the following vote, to wit:

AYES: 3 Council Members: Cartozian, Guerra, Mayor Trejo
NOES: 2 Council Members: Bayer, Gafin
ABSENT: 0 Council Member: None
ABSTAIN: 0 Council Member: None

KATHLEEN L. MIDSTOKKE
KATHLEEN L. MIDSTOKKE, City Clerk

The foregoing instrument is a full, true and correct copy
of the original on file in this office.

ATTEST: June 29, 2007
Kathleen L. Midstokke
City Clerk of the City of Downey

RESOLUTION NO. 07-6997

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DOWNEY, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2007, WITH THE SCHOOL AND DISTRICT ELECTIONS TO BE HELD ON THAT DATE PURSUANT TO SECTION 10403 OF THE CALIFORNIA ELECTIONS CODE.

WHEREAS, the City Council of the City of Downey called a Special Municipal Election to be held on November 6, 2007, for the purpose of submitting to the voters a question relating to Charter Amendment No. 13 – Term Limits; and

WHEREAS, it is desirable that the Special Municipal Election be consolidated with the School and District Elections to be held on November 6, 2007, and that within the City of Downey the precincts, polling places and election officers of the two elections be the same, and that the County Election Department of the County of Los Angeles canvass the returns of the City of Downey Special Municipal Election and that said School and District Elections and the City of Downey Special Municipal Election be held in all respects as if there were only one election, and only one form of ballot shall be used.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DOWNEY, CALIFORNIA, DOES RESOLVE AS FOLLOWS:

SECTION 1. That pursuant to the requirements of Section 10403 of the California Elections Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of the City of Downey Special Municipal Election with the School and District Elections on Tuesday, the 6th day of November, 2007, for the purpose of submitting the following question:

Charter Amendment No. 13: Shall a Charter Amendment, proposed by the Downey City Council, which amends Charter Section 500.1 Limitation of Terms from a two (2) term limit to a three (3) consecutive term limit and provides for additional terms after a two (2) year waiting period, be adopted?	Yes ----- No
---	--------------------

SECTION 2. That the proposed complete text of the Charter Amendment submitted to the voters is as follows:

Charter Amendment No. 13: Section 500.1 of the Downey City Charter is hereby amended by deleting the existing wording and replacing it with the following: "Section 500.1 LIMITATION OF TERM. Any person who shall have served three (3) consecutive terms as a member of the Council shall be ineligible to serve again in the office until an intervening period of two (2) years has elapsed. For the purposes hereof, any person who serves as a Council Member for two (2) years or more of an unexpired term, or two (2) years or more of an elected term, shall be considered to have served a term. It is the intent of this Charter Amendment that this Amendment shall be retroactive."

SECTION 3. That the County Election Department is authorized to canvass the returns of the Special Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

SECTION 4. That the Board of Supervisors is requested to issue instructions to the County Election Department to take any and all steps necessary for the holding of the Consolidated Election.

SECTION 5. That the City of Downey recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

SECTION 6. That the City Clerk of the City of Downey is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the County Election Department of the County of Los Angeles.

SECTION 7. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this 26th day of June, 2007.

RICK TREJO
RICK TREJO, Mayor

ATTEST:

KATHLEEN L. MIDSTOKKE
KATHLEEN L. MIDSTOKKE, City Clerk

I HEREBY CERTIFY that the foregoing Resolution was adopted by the City Council of the City of Downey at a regular meeting held on the 26th day of June, 2007, by the following vote, to wit:

AYES:	3 Council Members:	Cartozian, Guerra, Mayor Trejo
NOES:	2 Council Members:	Bayer, Gafin
ABSENT:	0 Council Member:	None
ABSTAIN:	0 Council Member:	None

KATHLEEN L. MIDSTOKKE
KATHLEEN L. MIDSTOKKE, City Clerk

The foregoing instrument is a full, true and correct copy
of the original on file in this office.

ATTEST: June 29, 2007
Kathleen L. Midstokke
City Clerk of the City of Downey